

## **Chapter 17.46**

### **UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE**

(3147-7/92, 3310-12/95, 3427-7/99, 3576-10/02, 3898-12/10)

#### **Sections:**

- 17.46.010 Adoption
- 17.46.015 Administration
- 17.46.020 Definitions
- 17.46.025 Pool, Spa and Hot Tub Outlets
- 17.46.030 Waste Water Disposal
- 17.46.050 Pool Enclosures and Barriers
- 17.46.055 Additional Single Family Residential Barrier Requirements
- 17.46.060 Construction Requirements
- 17.46.070 Authority to Abate
- 17.46.080 Installation of Gas Piping

**17.46.010 Adoption.** There is hereby adopted by the City Council by reference that certain code known as the Uniform Swimming Pool, Spa and Hot Tub Code (USPSHTC), compiled by the International Association of Plumbing and Mechanical Officials, being particularly the 2009 edition thereof and the whole thereof, except as hereafter provided excluding Chapter 1, "Administration". Such code, and amendments thereto, is hereby adopted and incorporated pursuant to California Government Code § 50022.2 et seq., and Health and Safety Code § 18941.5 as fully as though set out at length herein for the purpose of protecting public health and safety by prescribing minimum standards for the use, design and installation of swimming pool, spa and hot tub systems; by requiring a permit and inspection for installation, alteration and replacement of said systems. From the date on which this chapter takes effect, the provisions thereof shall be controlling within the corporate limits of the City of Huntington Beach. (3147-7/92, 3310-12/95, 3427-7/99, 3898-12/10)

**17.46.015 Administration.** For administrative provisions of this code see Chapter 1 of the Huntington Beach Building Code. (3898-12/10)

**17.46.020 Definitions.** The USPSHTC is hereby amended by adding or modifying the following definitions: (3147-7/92, 3310-12/95, 3898-12/10)

**§ 204 Barrier** - A fence, wall, building wall or a combination thereof, which completely surrounds the swimming pool and obstructs access to the swimming pool. (3147-7/9, 3898-12/10)

**§ 209 Grade** - The underlying surface such as earth or a walking surface. (3147-7/92, 3898-12/10)

**§ 218 Portable** - A non-permanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product and which is cord connected (not permanently electrically wired). (3147-7/92, 3898-12/10)

**§ 221 Swimming Pool** - A swimming pool is any body of water having a depth exceeding eighteen (18) inches at any point, constructed, fabricated or installed for swimming, bathing or wading purposes. This includes in-ground, above-ground and on-grade pools, spas and hot tubs. (3147-7/92, 3576-10/02, 3898-12/10)

**17.46.025 Pool, Spa and Hot Tub Outlets.** § 309.4 is hereby amended to read as follows: (3898-12/10)

§ 309.4 Pool, Spa and Hot Tub Outlets. Whenever a building permit is issued for the construction of a new swimming pool or spa, the pool or spa shall meet all of the following requirements: (3898-12/10)

(1) The suction outlet of the pool or spa for which the permit is issued shall be equipped to provide circulation throughout the pool or spa as prescribed in paragraph (2). (3898-12/10)

(2) The swimming pool or spa shall have at least two circulation drains per pump that shall be hydraulically balanced and symmetrically plumbed through one or more "T" fittings, and that are separated by a distance of at least three feet in any dimension between the drains. Suction outlets that are less than 12 inches across shall be covered with antientrapment grates, as specified in the ASME/ANSI Standard A 112.19.8, that cannot be removed except with the use of tools. Slots or openings in the grates or similar protective devices shall be of a shape, area, and arrangement that would prevent physical entrapment and would not pose any suction hazard to bathers. (3898-12/10)

(3) Any backup safety system that an owner of a new swimming pool or spa may choose to install in addition to the requirements set forth in subdivisions (a) and (b) shall meet the standards as published in the document, "Guidelines for Entrapment Hazards: Making Pools and Spas Safer," Publication Number 363, March 2005, United States Consumer Product Safety Commission. (3898-12/10)

(4) Whenever a building permit is issued for the remodel or modification of an existing swimming pool, toddler pool, or spa, the permit shall require that the suction outlet of the existing swimming pool, toddler pool, or spa be upgraded so as to be equipped with an antientrapment cover meeting current standards of the American Society for Testing and Materials (ASTM) or the American Society of Mechanical Engineers (ASME). (3898-12/10)

§§ 309.4.1, 309.4.2, 309.4.3 and 309.4.4 are hereby deleted. (3898-12/10)

**17.46.030 Waste Water Disposal.** §313.1 is hereby amended to add the following exception: (3147-7/92, 3310-12/95, 3427-7/99, 3898-12/10)

§ 313.1--Exception: Spas and hot tubs under 750 gallons shall not be required to discharge into a sewer. (3310-12/95, 3427-7/99, 3898-12/10)

**17.46.050 Pool Enclosures and Barriers.** § 324 is hereby added to read as follows: (3147-7/92, 3898-12/10)

(a) Any swimming pool, hot tub, spa or similar outdoor body of water intended for swimming or recreational bathing, eighteen (18) inches or more in depth, shall contain an enclosure or barrier to conform to the following requirements: (3147-7/92, 3310-12/95, 3427-7/99)

Exception: Spas and Hot Tubs of less than 750 gallons may have a rigid locking cover to substitute for other barriers. (3310-12/95)

1. The top of the barrier shall be at least sixty (60) inches above grade measured on the side of the barrier which faces away from the swimming pool. (3147-7/92)
2. Openings in the barrier shall not allow passage of a four (4) inch diameter sphere. Shrubs, trees, or landscape materials cannot be considered as part of the barrier. (3147-7/92)
3. Solid barriers, such as masonry or concrete, or stone walls shall not contain indentations, or protrusions closer than forty-five (45") inches apart vertically, horizontally, or from top of wall, except for tooled masonry joints. (3147-7/92, 3576-10/02)

4. Any configuration providing ladder-like access allowing illegal entry to the pool area shall be prohibited. Ladder-like access shall mean any method or action such as climbing, crawling, pushing, jumping or other means to gain access to a pool or spa area. (3147-7/92)
5. Where the barrier is composed of horizontal and vertical members, the distance between the tops of the horizontal members shall be forty-five (45") inches or more. Openings between vertical members shall not exceed four (4") inches. (3147-7/92)
6. Maximum mesh size for chain link fences shall be a 1-1/4 inch square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to no more than 1-3/4 inches, the wire shall be not less than nine (9) gauge. (3147-7/92)
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall be no more than 1-3/4 inches. (3147-7/92)
8. All required pool fence and gate enclosures shall extend to within two (2") inches of firm soil or pavement. All access gates shall be constructed in compliance with all requirements stipulated for pool fences in items 1 through 7 above, and shall be equipped to accommodate a locking device. Access gates shall open outward away from the pool, spa, or hot tub, and shall be self-closing and have a self-latching device. The release mechanism of the self-latching device is to be located not less than sixty (60") inches from the bottom of the gate or adjoining grade. (3147-7/92)
9. The barriers and all self-closing and self-latching devices, required by this section, shall be installed and in proper working order before any water is placed in the pool. (3147-7/92)
10. A dwelling or appurtenant structure may be used as a part of the required enclosure. (3147-7/92)
11. Equivalent barriers may be approved on a case by case basis. (3427-7/99)

**17.46.055 Additional Single Family Residential Barrier Requirements.** § 324.1 is hereby added to read as follows: (3427-7/99, 3898-12/10)

§324.1 Single Family Residential Barrier Requirements. Whenever a construction permit is issued for construction of a new swimming pool or spa, or a construction permit is issued for remodeling of an existing swimming pool or spa, at a private, single family home it shall be equipped with at least one of the following seven drowning prevention safety features: (3427-7/99, 3898-12/10)

1. The pool shall be isolated from the home by a barrier conforming to Section 17.46.050 HBMC. (3427-7/99)
2. The pool shall be equipped with an approved safety pool cover that meets all of the requirements of ASTM Specification F 1346. (3427-7/99, 3898-12/10)
3. The residence shall be equipped with exit alarms listed in accordance with UL 2017 on those doors providing direct access to the pool, including garage exit doors. (3427-7/99, 3898-12/10)
4. All doors providing direct access from the home or garage to the swimming pool shall be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor. (3427-7/99, 3898-12/10)

5. The swimming pool shall incorporate removable mesh pool fencing that meets ASTM Specification F-2286 standard in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device. (3898-12/10)
6. Swimming pool alarms that, when placed in pools, will sound upon detection of accidental or unauthorized entrance into the water. These pool alarms shall meet and be independently certified to comply with ASTM Standard F-2208 "Standard Specification for Pool Alarms" which includes surface motion, pressure, sonar, laser and infrared type alarms. For purposes of this article, "swimming pool alarms" shall not include swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sounds when the child becomes submerged in water. (3898-12/10)
7. Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth above, and have been independently verified by an approved testing laboratory as meeting standards for those devices established by the ASTM or the American Society of Mechanical Engineers (ASME) as determined by the building official. (3427-7/99, 3898-12/10)

**17.46.060 Construction Requirements.** § 325 is hereby added to read as follows:

(3147-7/92, 3310-12/95, 3898-12/10)

All swimming pool construction shall be in conformance with engineered design for expansive soils, unless a soils report by a registered engineer, approved by the building official, indicates otherwise. (3147-7/92, 3427-7/99)

**17.46.070 Authority to Abate.** §326 is hereby added to read as follows: (3147-7/92, 3898-12/10)

- (a) It shall be unlawful and is hereby declared to be a public nuisance for any person owning, leasing, occupying or having charge of any residential property in the City to maintain such premises in such a manner that any of the following conditions are found to exist thereon:

(3147-7/92)

1. The failure to secure and maintain from public access all doorways, gate access and other openings, with regards to the barrier requirements of this code. (3147-7/92)
2. Uncleanliness of swimming pool water as determined by the Building Official. All swimming pool and spa water shall be maintained in a clear condition which is free of algae, insects, debris and in a sanitary condition. The entire floor of the swimming pool shall be clearly visible. (3147-7/92)

- (b) Where a nuisance exists, the building official shall require the nuisance or violation to be abated and where necessary, shall seek such abatement in the manner provided by law.

(3147-7/92)

**17.46.080 Installation of Gas Piping.** Chapter 5 is amended to read as follows: (3147-7/92,

3310-12/95, 3427-7/99)

§Chapter 5. Fuel gas piping shall be installed in accordance with the requirements of the Huntington Beach Plumbing Code. (3427-7/99)